

REMARKS

Claims 5 and 19 have been amended. Claims 5 and 13-24 are currently pending in the application.

Claims 5 and 19 were amended to change "specific" and "specific for" to "binding to" or "binds to" in reference to the "second reagent" and "target compounds." "Binds to" finds basis on page 18, lines 26-27, of parent application Ser. No. 09/698,846; which excerpt was expressly incorporated into the present application in the Preliminary Amendment dated July 22, 2002. Page 18 of 09/698,846 has been attached as Exhibit A for the convenience of the Examiner.

Claims 5 and 19 were also amended to clarify that for each target compound being detected there is a second reagent that is capable of binding to it such that whenever an electrophoretic probe (or first reagent) is also bound to it, an active species produced by the second reagent will cleave cleavable linkages on such electrophoretic probe (or first reagent) to release eTag reporters. Basis for this concept is found on page 18, lines 15-30, of parent application Ser. No. 09/698,846. In particular, in that excerpt, the technique of "channeling" and its relation to Applicants' invention is briefly described (see specifically page 18, lines 20-22).

No new matter has been added by the amendments. Reconsideration is respectfully requested.

Rejections Under 35 U.S.C. 112 First Paragraph

In paragraph 3 of the Office Action, the Examiner rejected claims 5 and 13-24 under 35 U.S.C. 112 first paragraph because of the following phrases lack support in the specification: (i) "a second reagent is specific for at least one of said one or more target compounds" (claim 5), and (ii) "the second reagent is specific for the same target compound." (claim 19).

Applicants respectfully disagree with the rejection, particularly in view of the amendments. First, express support for the term "second reagent" is found on page 18, line 21, of parent application 09/698,846. As mentioned above, portions of the parent application containing this support has been expressly incorporated into the present application. Second, the phrase "specific for" has been replaced with the phrase "binds to," which has express support on page 18, line 27, of 09/698,846 (also expressly incorporated). Finally, in reference to claim 19, as noted above, basis for the concept that the first reagent and the second reagent bind to the same target compound, or target moiety, is also found on page 18, line 27, of 09/698,846.

In view of the amendments, Applicants submit that the concerns raised by the Examiner over new matter have been addressed and respectfully request that the above rejection be withdrawn.

Rejections Under 35 U.S.C. 112 Second Paragraph

In paragraph 5 of the Office Action, the Examiner rejected claims 5 and 13-24 under 35 U.S.C. 112 second paragraph because (i) the meaning of the phrase "specific for" (claim 5 and 13-18) in reference to the interaction of the second reagent and a target compound is unclear, and (ii) the phrase "the first reagent and second reagent of each pair being specific for the same target compound" does not clearly describe the interaction of the first and second reagents with a target compound (claim 19).

Applicants respectfully disagree with this rejection, particularly in view of the amendments. The terms "specific for" and "specific" have been replaced with "binding to" and "bind to," which make it clear that each pair of first and second reagents are in contact with, i.e. form a stable molecular complex with, a target compound. Applicants submit that the term "binding" in reference to molecular interactions is well known to those of ordinary skill in the art, so that the use of the term in connection with the first and second reagents and a target compound would be clear. For example, one of ordinary skill in the art would be familiar with molecular "binding" in the following areas: enzyme-substrate binding, antigen-antibody binding, binding of labeled antibodies to an analyte in immunoassays, and the like.

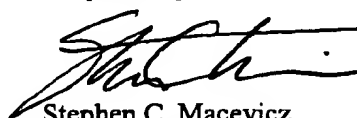
In regard to binding to the same target compound, one of ordinary skill would be familiar with such a concept through experience with "sandwich" immunoassays, e.g. as mentioned in Table 4 of the specification (page 33), or through experience with the so-called "channeling" techniques, describe on page 18, lines 15-30, of parent application 09/698,846.

In view of the above, Applicants respectfully submit that the claims now satisfy the requirements of 35 U.S.C. 112 second paragraph, and request that the rejection be withdrawn.

In view of the above, Applicants submit that the claims as written fully satisfy the requirements of Title 35 of the U.S. Code, and respectfully request that the rejections thereunder be withdrawn and that the claims be allowed and the application quickly passed to issue.

If any additional time extensions are required, such time extensions are hereby requested. If any additional fees not submitted with this response are required, please take such fees from deposit account 50-2266.

Respectfully submitted,



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